



CTIA

Building The Wireless Future

Cellular Telecommunications Industry Association

ORIGINAL

EX PARTE OR LATE FILED

March 7, 2000

Ms. Magalie Roman Salas
Office of the Secretary
Federal Communications Commission
The Portals
445 Twelfth Street, SW
12th Street Lobby, TW-A325
Washington, DC 20554

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MAR 07 2000
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: Ex Parte Presentation
WT Docket No. 97-207

Dear Ms. Salas:

Today, March 7, 2000, the Cellular Telecommunications Industry Association ("CTIA") hand-delivered the attached letter to Chairman William Kennard. CTIA also hand delivered a copy of the letter to Commissioner Harold W. Furchtgott, Commissioner Susan Ness, Commissioner Michael Powell, and Commissioner Gloria Tristani and Thomas J. Sugrue, Chief Wireless Telecommunications Bureau.

Pursuant to Section 1.1206 of the Commission's Rules, CTIA is filing an original and one copy of this letter and the attachments with your office. If you have any questions concerning this submission, please contact the undersigned.

Sincerely,

Dustun L. Ashton

Attachment (1)

No. of Copies rec'd 041
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CTIA

Cellular Telecommunications Industry Association

Thomas E. Wheeler

President, CTIA

March 7, 2000

Honorable William E. Kennard
Chairman
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20054

**Re: WT Docket No. 97-207
Calling Party Pays**

Dear Chairman Kennard:

By this letter, I am affirming the position of the CTIA Board of Directors regarding Calling Party Pays. A little more than a year ago, the CTIA Board unequivocally stated that adoption of an order by the Commission declaring CPP to be an optional Commercial Mobile Radio Service (CMRS) would heighten CMRS competition, as well as expand wireless competition into other markets. The CTIA Board's letter, dated December 16, 1998, is attached.

In June 1999, the Commission issued an important *Declaratory Ruling* finding CPP to be an optional CMRS service. In a companion *Notice of Proposed Rulemaking*, the Commission proposed elements to include in the notification message to be heard by a party calling a wireless customer that subscribes to a CPP option and solicited comments on other issues including CPP billing. CTIA continues to aggressively advocate for an order addressing the elements of a uniform notification message. CTIA believes that adoption of a uniform message will benefit consumers and will facilitate the wireless industry's educational efforts to better inform consumers about CPP. CTIA also opposes any new billing requirements for local exchange carriers related to CPP.

The broad availability of CPP will minimize the perceived differences between wireless and wireline services and, CTIA, believes, create greater competition between the two service sectors. CPP is the model for all traditional wireline calls and is the model for all wireless calls and wireline calls throughout most of the world. Placing wireless and wireline calling on the same basis in this country would enhance the conditions for greater inter-service competition.





CTIA

Cellular Telecommunications Industry Association

December 16, 1998

Chairman William E. Kennard
Federal Communications Commission
1919 M Street, N.W. 8th Floor
Washington, D.C. 20554

Re: WT Docket No. 97-207
Calling Party Pays

RECEIVED

DEC 16 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Chairman Kennard:

One year ago today, the Cellular Telecommunications Industry Association ("CTIA") filed its Comments urging the Commission to act on Calling Party Pays ("CPP") as an option for Commercial Mobile Radio Services. As part of that filing, CTIA attached a service description for CPP. Since that time, Commission activity regarding CPP has been stalled. Some attribute this slow-down to the false perception that the wireless industry lacks consensus regarding its support of CTIA's Calling Party Pays initiative. The purpose of this letter -- signed by the leaders of the principal providers of wireless service -- is to reaffirm the wireless industry's commitment to CPP as a service option. The CMRS marketplace is highly competitive, and the availability of CPP would heighten CMRS competition, as well as expand wireless competition into other markets.

CTIA's proposal to make CPP an option for wireless carriers is straightforward and relatively modest in scope. CTIA has asked that the Commission: (1) adopt a uniform national approach to advising consumers that they are making a CPP call to a CMRS customer; and (2) establish guidelines that allow CMRS carriers to tariff CPP service at the federal level, and thereby establish the means to establish rates and service terms in order to apply CPP charges to any caller with whom there is no pre-existing business relationship, much like the so-called "dial around" long distance services. CTIA is not asking the FCC to regulate billing and collection.



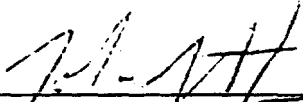
Chairman Kennard
December 16, 1998
Page Two

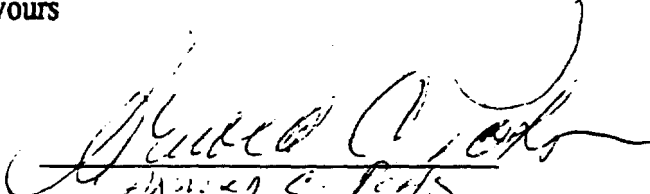
The nature of CMRS services is characterized by mobile customers and service areas which typically cross state boundaries. Multiple, and potentially inconsistent, state and local regulations would make CPP service offerings confusing to the public, and burdensome, if not impossible for wireless carriers to provide. Therefore, there must be a uniform national approach to providing consumers the information they need to recognize and complete a CPP call to a CMRS customer.

Additionally, the Commission should exercise its Title II authority to permit carriers wishing to offer CPP to: (1) file CPP tariffs under Section 203, (2) file informational CPP contracts under Section 211, or (3) file periodic CPP informational reports under Section 219. The information provided in these filings would make CPP services available for public inspection and ensure customer notification of key terms, including obligations to pay for charges incurred and limitations on carrier liability. The Commission currently allows such filings for nondominant interexchange carriers, including those offering 1+ dial-around services. Interexchange 1+ dial-around services are directly analogous to CPP in that it is likely that the calling party will have no pre-existing relationship with the billing carrier. As is true for similar services, CPP tariff or informational filings should not be subject to prior Commission approval or review, should be presumed lawful, and should not require the filing of any supporting cost data.

The wireless industry, as illustrated by the signatures to this letter, believes that the CPP option should be available to CMRS subscribers as a service option. In every docket before the Commission, carriers may disagree as to the exact details of any course of agency action. However, the undersigned CMRS carriers agree that the FCC must adopt the steps CTIA has outlined for Calling Party Pays to be effective. If, as many believe, CPP will enhance the competitiveness of the CMRS marketplace, it will be a great benefit to the public. On the other hand, if CPP does not catch on in the United States as it has throughout the rest of the world, there will be no harm from the Commission's action of having allowed CMRS carriers the opportunity to offer this service to their customers. Therefore, CTIA and its Board urge the Commission to act quickly to adopt CTIA's proposal, and to permit CMRS carriers to provide Calling Party Pays service across the nation on a uniform basis.

Very truly yours


John W. Stanton
Western Wireless

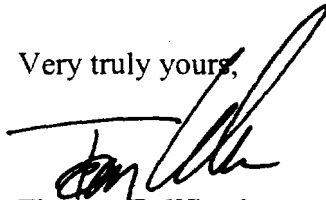

James C. Parks
Committee Representative

Hon. William E. Kennard
March 7, 2000
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With over 86 million subscribers in the U.S., wireless is no longer a luxury service. Per-minute charges for wireless service continue to fall. As you have noted Mr. Chairman, combining CPP with a prepaid calling plan would provide consumers exceptional control over their expenditures for wireless service.

I submit this letter as a clear restatement of the wireless industry's continued and undiminished support of optional CPP. I urge you and your colleagues to move expeditiously to adopt a *Report and Order* establishing the required elements of the CPP notification message. This action, in combination with your prior *Declaratory Ruling*, will clear the way for wireless carriers to implement CPP in a uniform and consumer-friendly manner nationwide.

Very truly yours,



Thomas E. Wheeler

Attachment

cc: Hon. Susan Ness
Hon. Harold Furchtgott-Roth
Hon. Michael K. Powell
Hon. Gloria Tristani
Thomas Sugrue

Chairman Kennard
December 16, 1998
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David H. Wilson

David H. Wilson
Comcast Cellular, Inc.

Mr. J. Deid MATTHEW J. DESCH
NORTEL NETWORKS

Andrew Sukawaty

Andrew Sukawaty
Sprint PCS

Haynes G. Griffin

HAYNES G. GRIFFIN
VANOUARD CELLULAR

Ragnar Ekstrand

RUNAR EKSTRAND
RURAL CELLULAR CORP.

Alan Sigafoos
SBC WIRELESS

William Nelson

WILLIAM NELSON
UNITED STATES CELLULAR

Donna F. Strick
DONNA F. STRICK
BELL ATLANTIC

CC Townsend
CC TOWNSEND
HARRISON WILSON

Donna E. Foster
DONNA E. FOSTER
AIHEL CORPORATION

David Cole
DAVID COLE, CENTURYTEL

John Flynn
JOHN FLYNN
AMERICAN CELLULAR CORPORATION

Robert D. Kirsch
ROBERT D. KIRSCH
Cellcom

Robert F. Brub
ROBERT F. BRUB
RFB CELLULAR, INC.

Ellen Clarke
E. CLARKE GORRATT
LIBERTY CELLULAR, INC. (KANSAS)

James A. Dwyer
JAMES A. DWYER
WIRELESS ONE NETWORK

William W. Berger
WILLIAM W. BERGER
LUCENT TECHNOLOGIES

Robert W. Swaner
ROBERT W. SWANER
WIRELESS

Fred Schlichter
FRED SCHLICHTER - First Cellular
of Southern Illinois

Michael A. Goff
MICHAEL A. GOFF
UNION WIRELESS

Lowell C. McAdam
LOWELL C. MCADAM
PRIME CO. REGIONAL COMMUNICATIONS

Daniel R. Hess
DANIEL R. HESS
AIRTEL Wireless Services
BRIAN KIDNEY
AIRTEL COMMUNICATIONS

John Wilson
JOHN WILSON
WILSON WIRELESS

Victor H. Menden
VICTOR H. MENDEN
CELLULAR SOUTH

Arnold S. Sisk
ARNOLD SISK
HEIGHTS NETWORK SYSTEMS

Tommy L. Morgan
TOMMY L. MORGAN, mobiletel.

RJ Graf
RJ GRAF
CENTENNIAL CELLULAR

Kevin J. Kelley
KEVIN J. KELLEY (Kevin J. Kelly)
QUALCOMM INCORPORATED

Robert P. P. P.
ROBERT P. P. P.
US CELLULAR

Jackie N. D.
JACKIE N. D.
HOWARD CELLULAR

Frank W. W.
FRANK W. W.
Motorola

Bob D. D.
BOB D. D.
CHILSON